

# EXHIBIT A

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**From:** [Gao, Yan](#)  
**To:** [Adrienne Zitka](#)  
**Subject:** RE: DSM CID  
**Date:** Monday, October 7, 2024 4:17:09 PM  
**Attachments:** [image001.png](#)  
[image002.png](#)  
[DSM CID 10-7.pdf](#)

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confidential

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Hi Adrienne

I requested an Accellion link from the FTC tech team, which you should receive shortly. Yes, you may inform customers about the CID.

Regarding confidentiality, information provided to the Commission will be accorded confidential treatment under all governing statutes and the Commission's Rules. Specifically, Section 21(f) of the Federal Trade Commission Act, 15 U.S.C. § 57b-2(f), provides that information obtained by the Commission pursuant to subpoena, or voluntarily in lieu of subpoena, in any investigation to determine whether there may be a violation of any law administered by the Commission, is exempt from disclosure under the Freedom of Information Act, 5 U.S.C. § 552. *See also* 16 C.F.R. §§ 4.10-4.11. Section 6(f) of the Federal Trade Commission Act, 15 U.S.C. § 46(f), specifically restricts the Commission's authority to make public trade secrets or commercial or financial information which is obtained from any person and which is confidential. *See also* 16 C.F.R. § 4.10(a)(2). In addition, Section 7A(h) of the Clayton Act, 15 U.S.C. § 18a(h), provides for the confidential treatment of information submitted to the Commission.

Lastly, I have attached the latest version of the CID, which changes the company name to DSM Biomedical, Inc. and DSM Biomedical B.V. Please let me know if you have any additional questions.  
Yan

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**From:** Adrienne Zitka  
**Sent:** Monday, October 7, 2024 4:53 PM  
**To:** Gao, Yan  
**Subject:** RE: DSM CID

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Hi Yan,

We are ready to upload the docs once you provide a secure link. Please confirm that everything that we provide will be handled confidentially and only used in connection with the FTC's investigation

since we consider this to be highly sensitive information.

Also, please let me know if you are comfortable with us informing the customer whose contract we plan to share that we will be sharing this as part of the CID request.

Thanks,

Adrienne

**Adrienne Zitka**

Legal Director NA

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**From:** Adrienne Zitka

**Sent:** Friday, October 4, 2024 4:20 PM

**To:** Gao, Yan

**Subject:** RE: DSM CID

Thanks, Yan. I'll reach out to you early next week for the link.

Also, for request 3(c), note that the service contract that we have in place with a customer falls under the confidentiality clause with our customer. Technically, we aren't permitted to share the agreement or the existence of it without their consent. We'd like to at least inform our customer that we received the CID and that we will be sharing it as part of the CID request before we share it. I'm assuming you are ok with us informing our customer that we received the CID?

Thanks,

Adrienne

**Adrienne Zitka**

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**From:** Gao, Yan <[ygao@ftc.gov](mailto:ygao@ftc.gov)>

**Sent:** Friday, October 4, 2024 2:44 PM

**To:** Adrienne Zitka <[adrienne.zitka@dsm-firmenich.com](mailto:adrienne.zitka@dsm-firmenich.com)>

**Subject:** RE: DSM CID

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Hi Adrienne

Please see the extension letter for the CID. I still owe you the amended version of the CID, addressed to DSM Biomedical, Inc. and DSM Biomedical B.V., which should be coming shortly.

As for the link, we're happy to send a link whenever you're ready. The link is only valid for 48 hours, so we can send it now if you're ready. Otherwise, happy to send you a link next week once you request it.

Yan

**From:** Adrienne Zitka <[adrienne.zitka@dsm-firmenich.com](mailto:adrienne.zitka@dsm-firmenich.com)>

**Sent:** Friday, October 4, 2024 12:04 PM

**To:** Gao, Yan <[ygao@ftc.gov](mailto:ygao@ftc.gov)>

**Subject:** RE: DSM CID

confidential

Hi Yan,

We have compiled most of the documentation, but would ask if you can please allow us to submit by mid-week next week. Can you also please provide a portal link to upload the docs as you had mentioned?

Thanks,

Adrienne

**Adrienne Zitka**

Legal Director NA

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**From:** Gao, Yan <[ygao@ftc.gov](mailto:ygao@ftc.gov)>  
**Sent:** Friday, September 27, 2024 12:58 PM  
**To:** Adrienne Zitka <[adrienne.zitka@dsm-firmenich.com](mailto:adrienne.zitka@dsm-firmenich.com)>  
**Subject:** RE: DSM CID

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Thank you Adrienne. We are available today from 3:30 to 5:00 pm Eastern, please let me know if any time works.

Yan

**From:** Adrienne Zitka <[adrienne.zitka@dsm-firmenich.com](mailto:adrienne.zitka@dsm-firmenich.com)>  
**Sent:** Thursday, September 26, 2024 3:10 PM  
**To:** Gao, Yan <[ygao@ftc.gov](mailto:ygao@ftc.gov)>  
**Subject:** RE: DSM CID

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Hi Yan,

Thanks. We are in the process of compiling information in relation to the CID requests. If you'd like to have a call, I'm fairly open tomorrow. Just let me know when works best for you.

Best,

Adrienne

**Adrienne Zitka**

Legal Director NA

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**From:** Gao, Yan <[ygao@ftc.gov](mailto:ygao@ftc.gov)>  
**Sent:** Wednesday, September 25, 2024 2:16 PM  
**To:** Adrienne Zitka <[adrienne.zitka@dsm-firmenich.com](mailto:adrienne.zitka@dsm-firmenich.com)>  
**Subject:** RE: DSM CID

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Hi Adrienne

Apologies for the delay in getting you the updated CID. We need to get it signed again, but the substance of the CID will remain the same. We'll make sure it gets addressed to DSM Biomedical, Inc. and DSM Biomedical B.V.

Do you have availability this week to discuss the CID? I'm happy to walk through the Specs and discuss our thoughts on it. Thank you.

Yan

**From:** Adrienne Zitka <[adrienne.zitka@dsm-firmenich.com](mailto:adrienne.zitka@dsm-firmenich.com)>  
**Sent:** Friday, September 13, 2024 2:30 PM  
**To:** Gao, Yan <[ygao@ftc.gov](mailto:ygao@ftc.gov)>  
**Subject:** RE: DSM CID

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Thanks, Yan.

**Adrienne Zitka**  
Legal Director NA  
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**From:** Gao, Yan <[ygao@ftc.gov](mailto:ygao@ftc.gov)>  
**Sent:** Friday, September 13, 2024 1:44 PM  
**To:** Adrienne Zitka <[adrienne.zitka@dsm-firmenich.com](mailto:adrienne.zitka@dsm-firmenich.com)>  
**Subject:** RE: DSM CID

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Thank you for that information Adrienne. I can change the CID and send you an updated version.  
And yes, sending the documents electronically is fine.  
Yan

**From:** Adrienne Zitka <[adrienne.zitka@dsm-firmenich.com](mailto:adrienne.zitka@dsm-firmenich.com)>  
**Sent:** Friday, September 13, 2024 12:25 PM  
**To:** Gao, Yan <[ygao@ftc.gov](mailto:ygao@ftc.gov)>  
**Subject:** RE: DSM CID

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Thanks, Yan. One initial observation is that I see that the CID was issued broadly to dsm-firmenich. The business units of dsm-firmenich that would be relevant to the proposed transaction are DSM Biomedical, Inc. and DSM Biomedical B.V. Can the demand be issued to these entities instead of the entire dsm-firmenich organization?  
And just to clarify, one of the boxes checked on the first page states that we need to make the documents available at our Plainsboro address. I'm assuming we can just send the documents to you without needing to make them physically available. Note that the DSM Biomedical business units

also are not located at the Plainsboro address. DSM Biomedical, Inc. is located in Exton, PA and DSM Biomedical B.V. is located in the Netherlands.

**Adrienne Zitka**

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**From:** Gao, Yan <[ygao@ftc.gov](mailto:ygao@ftc.gov)>

**Sent:** Thursday, September 12, 2024 6:52 PM

**To:** Adrienne Zitka <[adrienne.zitka@dsm-firmenich.com](mailto:adrienne.zitka@dsm-firmenich.com)>

**Subject:** DSM CID

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Hi Adrienne

Following up on our conversation, please see the attached CID. Please let me know when you are ready to discuss, thank you.

**Yan Gao**

General Attorney, Federal Trade Commission

Bureau of Competition

400 7<sup>th</sup> St. SW, Washington D.C. 20024

Tel: 202.326.2071 | [ygao@ftc.gov](mailto:ygao@ftc.gov)

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